



MEETING MINUTES

BOARD OF SUPERVISORS, COUNTY OF MONO

STATE OF CALIFORNIA

Regular Meetings: The First, Second,
and Third Tuesday of each month

REGULAR MEETING

County Courthouse
Bridgeport, California 93517

February 5, 2008

9:00 a.m. Meeting Called to Order by Chairwoman Vikki Bauer

Pledge of Allegiance led by Supervisor Hazard

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

No one spoke.

BOARD MEMBER REPORTS

Supervisor Reid reported on the following issues and activities:

1. Attended informal meetings at the Walker Senior Center. Claudia and Olivia (the temporary cook) are doing a good job. There is a lot of volunteer support.
2. Snow removal has been a major topic since the last series of storms. Individual agencies are doing a good job, but the collective effort needs to be improved. On Wednesday and Thursday, toured accessible areas in the district to view the snow removal efforts. The County needs more exact information from Caltrans. The road crews have done a good job, and Evan Nikirk has done an excellent job providing information.
3. Received a call from Dave Robbins, Antelope Valley Fire Department. He would like to know if the County is still interested in the AVFD property. Reid told him it will probably be discussed further at mid-year budget review or as part of the facilities study.

Supervisor Hunt reported on the following issues and activities:

1. Regarding snow removal, Mammoth Lakes is fortunate to have a great road crew available. The removal went smoothly.
2. Received an inquiry from Wendy Sugimura about redistribution of property taxes. This will become more of an issue since the Town is looking for new tax sources. Hunt told her that property taxes go to a variety of agencies not just the County and Town. The Board may want to consider joint projects with the Town that will benefit both agencies. Told Sugimura that taxes were meant to address needs in Town for public safety, parks and recreation issues, and roads. The Town is aware of services provided by the County that are not provided by the Town.

3. On January 30th attended a combined mental health and drug advisory meeting to talk about the Mental Health Services Act. Also talked about the new facility in Walker.
4. Meeting with Great Basin Air Pollution Control District was reported on by Supervisor Farnetti. Hunt agreed that the issue of Mono County pulling out of the district needs to be carefully reviewed.
5. Attended the ESTA board meeting, which was reported on by Chairwoman Bauer.
6. Attended the Andrea Lawrence Institute for Mountains and Rivers award dinner last Saturday. The keynote speaker from LADWP talked about their involvement in the Eastern Sierra and how they are working to be more "green". Paul McFarland received the ALIMR award.
7. Attended a meeting on the 4th with Mr. Bauxenbaum (discussed by Supervisor Hazard). Bauxenbaum will present a specific redesign plan in the next few weeks.
8. Referred to a brochure about the California lottery. In 2006-2007, Mono County received over \$352,000 (to be used for schools), and since 1983, has received \$5,132,755.

Supervisor Hazard reported on the following issues and activities:

1. Addressed recent storms and highway closures. In his district, there are primarily three people plowing 90 miles of road, which presents a problem. The Board needs to address snow-removal issues.
2. Attended a meeting on the 29th to discuss the old Benton area and economic development issues. At some point the tribe needs to be involved to discuss their plans for the future. The community needs to develop a specific plan.
3. Attended an OHV management meeting on the 30th to discuss the trails management plan. Discussed which roads will stay open and maintained, and which roads will close. The new ranger would like to have both sides meet for a collaborative discussion, and asked the Mono County Board of Supervisors to sponsor this meeting; Hazard thought COG would be the most appropriate agency since it is a regional organization. If the Board wants to discuss acting as host, Hazard can agendaize the item.
4. Attended a Great Basin Air Pollution Control District meeting on the 1st. Discussed mitigation measures to be in place by 2010 which will bring the lake into compliance. Will further discuss a habitat preservation issue. The issue of Mono County leaving the organization can't be discussed until the County has had an internal discussion.
5. Met with Supervisor Hunt, Scott Burns, Larry Johnston, Chief Stump, Mono Lakes Housing, Inc., and Mr. Bauxenbaum to follow-up on the Bauxenbaum project. The meeting was very productive, and many goals and priorities were discussed. Bauxenbaum will reassess the property and build a feasible project that incorporates community amenities and work-force housing. The Board's strong stance helped change his position and make the process more cooperative.
6. Attended the CPT meeting. The meeting was very well attended and productive.
7. Spoke with Bob Haueter from Congressman McKeon's office. Republicans are calling for a one-year moratorium on earmarks. The Congressman is considering a public and highly disclosed process to get certain special projects funded, and has proposed an application process. The County has the opportunity to identify projects.
8. Received a letter from Senator Dave Cox about the looped 911 system; will put this on the next agenda under Correspondence.
9. At the last Board meeting, reported on the Oasis trip. Received a call from Ralph Keyes, who originally presented the problem about phone service. Dave Wilbrecht contacted Bob Adams, general manager for Churchill County Communication System, who said they are not planning to shut down the analogue system. Adams has assured Wilbrecht and Keyes that they will not take action until a study is done. Hazard will send a letter as supervisor of the district supporting the idea of working together on this issue, and Wilbrecht will continue to keep the Board updated.
10. At the last Board meeting discussed a meeting between the Eastern Sierra Land Trust and

California Wildlife Conservation. A compromise was proposed whereby ESLT, instead of the state, would purchase property as a private entity in order to keep it on the tax rolls and then resell the land with conservation easements. The state has approved this process.

Supervisor Farnetti reported on the following issues and activities:

1. The weather affected many meetings he was planning to attend.
2. Attended the Great Basin Air Pollution Control District meeting on Friday; participated as a member of the audience. Regarding the issue of Mono County pulling out of the district, nothing has been finalized. District staff prepared a report outlining the effects this would have on the district and the economic impact if Mono County pulls out. Farnetti believes Mono County would be better served by working within the existing structure.
3. Received a letter from environmental health regarding compliance deadlines for landfills; this will be discussed at the Solid Waste Task Force meeting.

Chairwoman Bauer reported on the following issues and activities:

1. Received calls from constituents about snow removal.
2. Attended the Great Basin Air Pollution Control District meeting (discussed by other Board Members).
3. The Agenda Review Committee has solved problems with the new software.
4. The CPT is ready for Supervisor Reid to come back.
5. ESTA approved a short-range transit plan and is moving forward with the process of hiring an executive director.
6. Attended the Andrea Lawrence Institute for Mountains and Rivers awards dinner.
7. The Convention Bureau in Fresno has new management; they are interested in YARTS coming from Yosemite Airport into Madera.

COUNTY ADMINISTRATIVE OFFICE

- 1) CAO Report regarding Board Assignments (**David Wilbrecht**)
RECOMMENDED ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities.

David Wilbrecht, CAO, reported on the following issues and activities:

1. Will attend a meeting this Friday in Mammoth with Supervisors Hazard and Reid, the CAO from Inyo County and Mary Miller (agency manager), to discuss IMAAA; board members from IMAAA have also been invited. They will discuss quality assurance, personnel administration, supplemental resources, allocation of resources, sustainability of the program, demographic changes, and strategic planning. These issues have been discussed at previous meetings with IMAAA and it is time to move forward. The concern is that this may negatively impact the relationship with Inyo County.
2. Continuing to work with owners of the Sierra Center Mall. There have been various complaints about the new roof due to leaking water; some equipment has been damaged. Will follow-up with the owners about their proposal regarding County purchase of the space; will come back to the Board after the analysis is complete. The County is in a good position since it has a long lease; building on the exchange parcel will be included in the analysis. The Board may get inquiries and pressure; Wilbrecht suggested deferring questions until the County is ready to make their position public.
3. Will soon bring to the Board a compensation adjustment amendment to the public defenders contract; the adjustment is similar to the 23-county survey. The other option is to do a full analysis, which might come in higher than the survey.
4. Traveled to Oasis with Supervisor Hazard and Sheriff Scholl. Supervisor Hazard discussed this matter.

5. The agenda review committee is close to implementing the new software.
6. Will continue working with child support services on budget allocations. They are anticipating a shortfall, and there may be layoffs if the region cannot work together by sharing resources within the allocation of the budget.
7. Follow-up on the ESTA driver in Walker and the change in level of service due to his broken leg, the driver should be back this week. Working to resolve the issue of what should happen when a person is off.
8. Last Friday toured the south county with the Sheriff's office to look at snow removal. The Sheriff's impression has been that service is based on population density; there are other criteria that determine snow removal schedules. Will bring the discussion back to the Board on February 19th for a more complete discussion. Chairwoman Bauer suggested having a general discussion on February 12th and a more detailed discussion on the 19th about the local issues, and issues concerning Caltrans.

APPROVAL OF MINUTES

2a) Regular meeting of January 15, 2008.
M08-021 *(Hazard/Farnetti, 4-0; Reid abstain)*

2b) Special meeting of January 22, 2008.
M08-022 *(Farnetti/Hunt, 5-0)*

DEPARTMENT REPORTS/EMERGING ISSUES

Nikirk reported on the following:

1. Can't attend LTC; will ask Steve Anderson to attend the meeting.
2. Regarding snow removal, road crews will work standard hours this week due to long hours during the last month. Since no snow is expected, the crews will be widening the snow removal. For their health and safety, they need a rest. The Board may get calls.

Mary Booher reported on the following:

1. Health care reform is dead. The finances did not pan out and the program would be bankrupt in 5-7 years. Will keep the Board updated.

Christy Robles reported on the following:

1. Provided a report on the election. The polls opened at 7:00 a.m. and there are no problems to report. Due to recent weather conditions, the elections office did not receive mail for six days, which means that absent voter applications and ballots may not have been received in a timely manner. Will issue a press release to address questions. Voted ballots can be dropped off at a polling place, and the elections office will check the post office for late drop offs. Late ballots can't be counted. Also, according to the post office, voters are returning applications/ballots without postage. Election results will be posted on the elections website tonight. Supervisor Hazard complimented Linda Romero (Clerk's Office) for the excellent way she handled a situation yesterday.

Sheriff Scholl reported on the following:

1. Update on issues concerning road closures: With the recent storms, 395 has been closed about four times; during one closure, two watch commanders were stranded for over 5 hours due to lack of visibility. But there were no injuries, deaths, or storm-related incidences. In about ten days, Scholl will meet with various agencies, including Caltrans, California Highway Patrol, and the Sheriff's Office in Bishop. Will meet with the media on the 18th to

address the issue of coordinating public messages. Caltrans makes the decision to close the road and the highway patrol mans the closure. The highway patrol will escort certain vehicles through if possible, but letting the public through without coordination creates liability issues. Will work on a standardized procedure.

Kelly Garcia reported on the following:

1. Pointed out that with the new furniture in the Board Chambers, the layout of the room is a little different. The podium may need to be relocated back to its original position; she will work to find the best position.

CONSENT AGENDA

(All matters on the consent agenda are to be approved in one motion unless a board member requests separate action on a specific item)

HEALTH AND HUMAN SERVICES—PUBLIC HEALTH DIVISION

- 3a)** Approval of Children's Medical Services (CMS) Plan for FY 2007-2008
M08-023 **ACTION:** Approve plan and authorize Chair's signature on the Allocation Funding Form for the Children's Medical Services (CMS) Pan for FY 2007-08.
(Hunt/Hazard, 5-0)
- 3b)** Approval of Maternal Child Health (MCH) Plan for FY 2007-08
M08-024 **ACTION:** Approve plan and authorize Chair's signature on the Allocation Funding Form for the Maternal Child Health (MCH) Program for FY 2007-08.
(Hunt/Hazard, 5-0)
- 3c)** Emergency Medical Services Appropriation for FY 2007-08
M08-025 **ACTION:** Approve agreement and authorize the HHS Director of Financial Operations to sign the Declaration of Intent (Option 1) and the Standard Agreement for the Emergency Medical Services Appropriation for FY 2007-08.
(Hunt/Hazard, 5-0)

MENTAL HEALTH

- 4)** County Medical Services Program Contract
M08-026 **ACTION:** Approve County entry into a proposed three-year contract with the County Medical Services Program (CMSP) Governing Board for the provision of mental health and alcohol/drug services to CMSP beneficiaries, and authorize the Mono County Mental Health Director to sign said agreement on behalf of Mono County.
(Hunt/Hazard, 5-0)

BOARD OF SUPERVISORS

- 5) Appoint Mr. Bruce Woodworth to the Central Sierra Resource Conservation and Development Council
- M08-027** **ACTION:** Approve the appointment of Mr. Bruce Woodworth as the County Representative to the Central Sierra Resource Conservation and Development Council.
(*Hunt/Hazard, 5-0*)

REGULAR AGENDA

CORRESPONDENCE RECEIVED (INFORMATIONAL)

All items listed are available for review and are located in the Office of the Clerk of the Board

#	Received	Dated	From	Subject
6a)	1-23-08	1-17-08	Mary Booher, Mono County Health and Human Services Agency, to Mono County Board of Supervisors	Report on Donations in Memory of Maurice Crawford
6b)	1-17-08	1-14-07 Postmarked	Department of Water and Power to Mono County Board of Supervisors	Notice of Availability/Notice of Intent to Adopt an Initial Study/Proposed Mitigated Negative Declaration for the Mono Gate One Diversion Facility Upgrade Project

Chairwoman Bauer acknowledged receipt of the correspondence.

CLERK-RECORDER-REGISTRAR

- 7) Certification of Petition Seeking to Recall James Lovett, Assessor (**Lynda Roberts**)
- R08-06** **ACTION:** Acknowledge receipt of certificate of sufficiency regarding recall petition from the Clerk (county elections official), and adopt **Resolution R08-06** ordering that an election be held to determine whether or not James Lovett shall be recalled from the office of Mono County Assessor, and ordering that the recall election be consolidated with the regular election to be held on June 3, 2008.
(*Hazard/Reid, 5-0*)

Lynda Roberts presented the report:

1. Name of the officer whose recall is sought: James D. Lovett
2. Title of his or her office: Mono County Assessor
3. Number of signatures required by law: 1,630
4. Total number of signatures on the petition: 2,049
5. Number of valid signatures on the petition: 1,778
6. Number of signatures which were disqualified: 271

I, Lynda Roberts, Mono County Clerk-Recorder-Registrar, do hereby certify the petition to be sufficient.

Roberts outlined the steps used to determine sufficiency: (1) Checked each name in the voter registration database, (2) created a spreadsheet to ascertain the number, if any, of duplicate signatures, and (3) created a spreadsheet to accurately calculate the total number of signatures, the number of valid signatures and the number of disqualified signatures. Roberts said she will be working with County Counsel to create an information sheet about the Assessor position.

Chairwoman Bauer asked the Board if they wanted to move forward or consider the information and take action next week. The Board agreed to move forward.

Tony Dublino, The Sheet, asked what would happen if Lovett decided to resign. Marshall Rudolph, County Counsel, said once the petition is certified, the election process goes forward. In response to a question about the salary, Rudolph said it will stay the same; a salary adjustment will have to be consistent with policies.

Dublino asked for Board comments about a successor; the Board said this was an open process and there could be a field of candidates. Dublino asked whether or not the Board would again require Lovett to report once a month to the Board. Board Members said the Board can request a report on the operations of the Assessor's Office and agreed that Lovett should report on the third Tuesday of each month to provide updates. Chairwoman Bauer asked to have this item included on the agenda for February 19th.

MENTAL HEALTH

- 8) Contract for State Hospital Access (**Ann Gimpel**)
M08-028 ACTION: Approve County entry into a proposed contract with the State Department of Mental Health (DMH) for State Hospital Access, and authorize Ann Gimpel, Ph.D., Mental Health Director, to sign, administer, and act as liaison for said contract on behalf of Mono County.
(**Reid/Farnetti, 5-0**)

Ann Gimpel: This is an annual contract with the State Department of Mental Health for access to a bed in the state hospital. No funds are involved at this time because no one is currently using the facility. There is a small county emergency risk pool to help with funding, or a person with medical benefits can apply for reimbursement for unusual expenses. Otherwise mental health realignment funds are used. Costs have been increasing 6-7% per year. The state hospitals don't have many staff members available, so chances of getting someone in at this time aren't good.

PUBLIC WORKS

- 9a)** Contract for Waste Tire Hauling Services (**Evan Nikirk**)
M08-029 **ACTION:** Authorize the Public Works Director (in consultation with County Counsel) to execute and administer a two-year agreement with Niteowl Transportation Company of Bishop, California, to provide waste tire hauling services at the Benton Crossing Landfill in an amount not to exceed \$24,000. This authorization shall include making minor amendments to said agreement from time to time as the Public Works Director may deem necessary, provided such amendments do not substantially alter the scope of work or budget and are approved as to form by County Counsel.
(Hunt/Farnetti, 5-0)

Evan Nikirk: The State requires landfills to remove tires from the waste stream. Niteowl has been providing this service for 5-6 years and they do a good job. Tires are removed once a quarter at a cost of about \$2,500 per pull (approximately \$10,000 per year); tires are then recycled. The contract is limited to \$24,000 and will expire at the end of 2009.

- 9b)** Authorization for Out-of-State Travel (**Evan Nikirk**)
M08-030 **ACTION:** Authorize out-of-state travel for Kelly Garcia, Assistant Public Works Director, to attend the Pacific Northwest Resource Management School in Port Townsend, Washington, from February 24 through February 29, 2008, for the purpose of increasing her knowledge base and planning skills for maintenance and operation of Mono County parks and facilities.
(Hazard/Reid, 5-0)

Evan Nikirk: The CAO recommended this training program, which is conducted in Washington State by a national firm; there is no equivalent program in California. This training will address issues related to parks management. Nikirk asked the Board to authorize the travel, which will include airfare, a rental car for a week, and tolls. The cost will be \$2,150; there are sufficient funds in the budget. The agenda for the curriculum is included in the Board packet.

Break: 10:20 a.m. through 10:30 a.m.
Reconvened: 10:30 a.m.

ADJOURNED: 11:35 a.m.

Mono County Board of Supervisors will meet in regular session on **February 12, 2008**, at the hour of 9:00 a.m. in the Board Chambers, County Courthouse, Bridgeport, California.

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